

**FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES
WASHINGTON, D.C. 20579**

IN THE MATTER OF THE CLAIM OF

DAVID PENTON

Claim No. CU -4517

Order No. CU-1624

**Under the International Claims Settlement
Act of 1949, as amended**

ORDER OF DISMISSAL

This claim, for an unstated amount, against the Government of Cuba, under Title V of the International Claims Settlement Act of 1949, as amended, was opened by the Commission, on behalf of DAVID PENTON based upon certain losses which may have been sustained as a result of actions by the Government of Cuba since January 1, 1959.

Under Title V of the International Claims Settlement Act of 1949 [78 Stat. 1110 (1964) 22 U.S.C. §§1643-1643k (1964), as amended, 79 Stat. 988 (1965)], the Commission is given jurisdiction over claims of nationals of the United States against the Government of Cuba. Section 503(a) of the Act provides that the Commission shall receive and determine in accordance with applicable substantive law, including international law, the amount and validity of claims by nationals of the United States against the Government of Cuba arising since January 1, 1959 for

losses resulting from the nationalization, expropriation, intervention or other taking of, or special measures directed against, property including any rights or interests therein owned wholly or partially, directly or indirectly at the time by nationals of the United States.

Section 502(3) of the Act provides:

The term 'property' means any property, right, or interest including any leasehold interest, and debts owed by the Government of Cuba or by enterprises which have been nationalized, expropriated, intervened, or taken by the Government of Cuba and debts which are a charge on property which has been nationalized, expropriated, intervened, or taken by the Government of Cuba.

This claim was opened in May of 1967, by the Commission on the basis of information received that the claimant was outside the United States. Information concerning the program has been widely disseminated. The claimant, however, has not contacted the Commission.

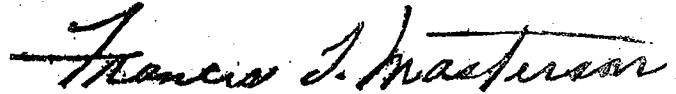
Accordingly, since no claim has been asserted for interests in property which was nationalized, expropriated or otherwise taken by the Government of Cuba, it is

ORDERED that this claim be and it is hereby dismissed.

Dated at Washington, D. C.
and entered as the Order
of the Commission

JUL 28 1971

By Order of the Commission



Francis T. Masterson
Clerk